REMARKS

The abstract and specification have been amended in order to correct grammatical and idiomatic errors contained therein. No new matter has been added. The claims have been amended in order to address the Examiner's rejection under 35 USC 112 and to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention. It is respectfully submitted that the currently presented claims are cured of all formal defects. Favorable consideration is respectfully solicited.

Claims 1 and 3-9 have been rejected under 35 USC 103(a) as being unpatentable over Iseberg et al. Applicants respectfully traverse this ground of rejection and urge reconsideration in light of the following comments.

In its broadest embodiment, the present invention is directed to an ear pad adapted to being inserted and detachably set in an auditory meatus and having a structure in which, on an outer peripheral surface of a hollow and cylindrical basic body made of an elastic material, a number of gathered sound-insulating walls made of the same material as the basic body are monolithically annularly provided on the basic body at predetermined intervals in the axial direction. The sound-insulating walls have a thickness that reduces towards the outer periphery thereof with each wall contacting an inner wall of the auditory meatus with a peripheral edge bend thereof which extends toward the rear of the basic body such that several sealed spaces are formed for attenuating outside noises by bent walls which overlap and adjoin an adjacent wall at outer peripheral edges thereof when the ear pad is placed in the auditory meatus.

As discussed in the present specification, the present invention was arrived at in order to provide an ear pad having a softness and adaptability to being placed in the auditory meatus of the ear without stimulating its sensitive portions and which can flexibly respond to individual differences in

the wearer. The ear pad of the present invention can be easily placed in the ear and yet is highly effective to a decrease in frictional force between the pad and the ear due to sweat or fat and is resistant to a force acting in an outward direction so that it hardly ever falls out. Additionally, the ear pad of the present invention has an improved capability of outside noise attenuation and has an excellent sealing performance. Due to the sound-insulating walls having a thickness that reduces toward the outer periphery thereof, the walls have a flexibility at the end thereof enabling them to overlap and adjoin the outer peripheral edges of an adjacent sound-insulating wall to form sealed spaces for attenuating outside noises. It is respectfully submitted that the prior art cited by the Examiner does not disclose the presently claimed invention.

The Iseberg et al reference discloses a high fidelity insert earphone which comprises a tubular portion which is inserted in an ear tip or other coupling device and has an enlarged diameter end section to achieve a locking action. Contrary to the Examiner's assertion in the Office Action, this reference does not disclose the projecting flange portions 39, 40 and 41 having a thickness which reduces toward the outer periphery thereof. Each wall section of the flange portions have a constant thickness. As a result, the flange portions of Iseberg et al do not have the flexibility of the outer peripheral edges of the sound insulating walls of the present invention and thereby it is difficult to bend these flange portions to fit in the auditory meatus. Moreover, these flange portions do not overlap and form sealed spaces as required by the present claims. Since the thickness of the walls of the flange portions is the same and the outer peripheral edges do not overlap, the flange portions have an inferior adhesion with the auditory meatus as compared to the present invention and cannot flexibly adapt to various shapes of different auditory meatuses where individual variations exist in shape and size.

The flange portions of Iseberg et al also do not have wall which extend in a direction perpendicular to the centerline of the basic body. As such, this limitation of Claim 4 and newly presented Claim 11 clearly is also not shown by this reference. As stated above, it is a critical feature of the present invention that the sound-insulating walls have a thickness that reduces toward the outer periphery thereof in order to obtain the improved sealing and fitting properties of the inventive ear pad. The Iseberg et al reference clearly does not show these features, and, as such, it is respectfully submitted that the presently claimed invention is clearly patentably distinct thereover.

Also enclosed herewith for the Examiner's approval are corrected drawings for Figures 6-8 in which they are properly denoted as being prior art. Favorable consideration is respectfully solicited.

Respectfully submitted,

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Encl: Marked-Up Substitute Specification
Clean Substitute Specification
Replacement Abstract
Replacement Drawing Sheets for Amended Figs. 6-8
Postal Card

136.07/05

Amendments to the Drawings

Attached are replacement drawing sheets for amended Figures 6-8.